

Ser.no. 09/982,930
Amdt dated March 16, 2005
In Reply to Office Action dated November 16, 2004

REMARKS/ARGUMENTS

Under separate cover, Applicant has filed a Petition for an extension of Time under 37 CFR 1.136(a) for one month in order to file a Request for Continued Examination and this responsive submission.

The Examiner has rejected claims 12 to 20 as being unpatentable for obviousness and as not complying with 35 U.S.C. 103(a) over US Patent No. 4,616,891 to Jantzen ("Jantzen") in view of US Patent No. 4,259,755 to Hollander ("Hollander") and US Patent No. 5,458,409 to Sheng ("Sheng").

Applicant has amended Claim 12 to include the subject matter of original claim 17 and has also removed the term hand-portable from the claim. Applicant has also amended claims 18 and 19 to change their claim dependency. Applicant has amended claim 21 and added new claim 22.

Claim 12 is now directed at a container unit, comprising a housing having opposing side walls, and a plurality of bins mounted between said side walls for rotation between closed and open positions, such that in said closed position, outer faces of said bins are generally coplanar, and in said open position, said outer faces each angle outwardly from said housing, thereby providing access into said bins, said bins being connected together for movement in unison, said outer faces occupying substantially all of a front portion of said housing,

said housing further comprising connection means configured to engage connection means of a housing of another container unit and a tab extending upwardly from an upper surface thereof having an opening for hanging said container unit.

Jantzen describes a storage cabinet having multiple storage compartments which all move together in unison if one of the compartments is opened or closed.

Hollander discloses the subject matter of storage bins being connected together for movement in unison to form a support for a bed. However, Hollander is directed at an article of modular furniture and not towards multiple compartment storage bins.

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Sheng is directed at a container having multiple moving drawers. The drawers are all interconnected so that the opening of one drawer causes the other drawers to open and similarly with the closing of one of the drawers.

Applicant respectfully believes that Applicant's invention is patentable over Jantzen in view of both Hollander and Sheng. The Examiner has stated that the handle 150 of Jantzen is equivalent to the tab in Applicant's original claims 17 to 19. Applicant respectfully believes that a handle is not the same as a tab for hanging and respectfully disagrees with the Examiner's assessment. Due to the size of the stand alone storage cabinet disclosed in Jantzen, the weight of the storage cabinet and its contents would be quite heavy and one skilled in the art would not hang such a storage cabinet via a tab. The presence of the feet members 114 and 115 further illustrate that Jantzen is directed at a stand alone storage cabinet which is meant to be placed on the floor. Even if the storage cabinet of Jantzen was hung, there is no description as to how the storage cabinet would be hung. It is likely that the storage cabinet would have to be mounted for hanging.

Applicant respectfully submits that Hollander and Sheng are quiet about the subject matter of a tab extending upwardly from an upper surface thereof having an opening for hanging said container unit.

The Examiner has rejected claim 21 as being unpatentable for obviousness and as not complying with 35 U.S.C. 103(a) over US Patent No. 4,616,891 to Jantzen ("Jantzen") in view of US Patent No. 5,803,254 to Vasudeva ("Vasudeva").

Applicant has amended claim 21 to claim that the mounting means allows the container unit to be mounted to a tool box and has added claim 22 (dependent from claim 21) to claim that the mounting means allow the container unit to be mounted in the tool box. Applicant believes Claims 21 and 22 are supported by Figure 33 and its corresponding description and that no new subject matter has been added with the addition of the amended and new claims.

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In view of Applicant's arguments above, Applicant respectfully believes that neither Jantzen nor Vasudeva disclose a tab extending upwardly from an upper surface thereof having an opening for hanging said container unit. Retraction of Examiner's rejection of claims 12 to 21 is respectfully requested.

We look forward to further communication on this application.

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